

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-150-JFH

ROSCOE DEEN CRANE,

Defendant.

OPINION AND ORDER

Before the Court is a motion for leave to dismiss without prejudice (“Motion”) filed by the United States of America (“Government”). Dkt. No. 91. The Government requests leave to dismiss the indictment [Dkt. No. 2] without prejudice as to Defendant Roscoe Deen Crane (“Defendant”). *Id.* Defendant pled guilty to a misdemeanor information and has been sentenced by a United States Magistrate Judge on that plea. *See* Dkt. Nos. 74, 84, 85, 86, 90.

Under Fed. R. Crim. P. 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). The Court concludes that dismissal of the charge against Defendant is not contrary to the public interest, nor is it for an improper purpose. The Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s motion for leave to dismiss without prejudice [Dkt. No. 91] is GRANTED and the indictment [Dkt. No. 2] is dismissed without prejudice as to Defendant Roscoe Deen Crane.

Following the consent of Defendant to proceed before a magistrate judge on the misdemeanor count and sentencing having been held, the felony count is hereby dismissed and the

Clerk is directed to terminate the district judge from the case assignment. The case number is hereby changed to 22-CR-150-CDL and all future pleadings should be marked accordingly.

Dated this 1st day of May 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE